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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,254	10/20/2003	Wang Cheng-Yu	N0116/PP/HH	3423

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/690,254

Applicant(s)

CHENG-YU, WANG

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION***Drawings***

1. The drawings are objected to by the Examiner. It is noted that “alart module 40...” should be changed to “alert module 40...” in order to maintain consistency with the terminology in college. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aviv in view of Wilcock et al., (hereinafter referred to as "Wilcock").

Aviv discloses an automatic monitoring and alerting device (Aviv: figure 1), comprising: a monitor module to record the image of a location in a digital format (Aviv: column 5, lines 1-6); a video integration module to convert the image data as recorded by the monitor module into a particular video format (Aviv: column 8, lines 37-67), and further discloses transmission of the images using a mobile phone (Aviv: column 10, lines 50-63), as in claim 1. However, Aviv fails to disclose that the format comprises a format for video data file suited for mobile transmission, as in the claim. Wilcock discloses it is known to also receive video data files in a format suited for mobile transmission (Wilcock: paragraph [0153], lines 1-13) and further associate location data of the received video data files as aid to the user (Wilcock: paragraph [0147], lines 1-7) in order to accurately present event-based generated video to a remote mobile device (Wilcock: paragraph [0125], lines 1-12). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art to incorporate the Wilcock teaching of formatting video files for mobile transmission and reception into the Aviv system in order to have the Aviv system accurately present video generated by triggering criminal activity to a remote cellular phone. The

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Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has all of the features of claim 1.

Regarding claim 2, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said monitor module comprises a digital camera (Aviv: column 5, lines 1-10; column 6, lines 45-55), as in the claim.

Regarding claim 3, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said monitor module comprises a video recorder (Aviv: column 8, lines 15-45), as in the claim.

Regarding claim 6, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said mobile communications module comprises a GPRS (general packet radio system) module to transmit said image data to a connectable mobile communications system, such that said data are transmitted to a designated mobile device (Wilcock: paragraph [0153], lines 1-13), as in the claim.

Regarding claim 7, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said mobile communications module further comprises a network processor to modify said image data such that said image data are suited for transmission in the internet (Wilcock: paragraph [0120], lines 1-5), as in the claim.

Regarding claims 8-9, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said alert

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module comprises a sensor to sense the environment of the location (Aviv: column 5, lines 15-20), an alert signal generator to generate alert signals when a predetermined change in the environment is sensed (Aviv: column 8, lines 55-67) and a dialer signal generator to generate dialer signals when an alert signal is generated (Aviv: column 10, lines 50-60), as in the claim

Regarding claim 10, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said dialer signals comprise at least one selected from the group of telephone number, IP address, domain name and email address (Wilcock: paragraph [0153], lines 1-13), as in the claim.

Regarding claim 11, the Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has wherein said alert signal generator further generates a predetermined alarm information to be transmitted along with said image data (Aviv: column 7, lines 55-67; column 8, lines 1-20), as in the claim.

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aviv in view of Wilcock et al., (hereinafter referred to as "Wilcock") as applied to claim 1 above, and further in view of Bober et al., (hereinafter referred to as "Bober").

The Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks, has a majority of the features of claims 4-5 as discussed above concerning claim 1. However, the Aviv-Wilcock combination fails to disclose wherein said video integration module comprises an image compressor to compress image data recorded by said monitor module, a video encoder to encode the compressed image data into a video format and memories to store image data processed and image data being processed, wherein said image data are encoded in the OCIF or CIF format, as in claims 4-5. Bober

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discloses a mobile phone based image transmission apparatus which discloses the use of an image compressor the compress image data recorded by said monitor module, a video encoder to encode the compressed image data into a video format and memories to store image data processed and image data being processed (Bober: paragraph [0020], lines 1-17), wherein said image data are encoded in the OCIF or CIF format (Bober: paragraph [0026], lines 1-13) in order to provide improved resolution to framed objects in the image for transmission (Bober: paragraph [0002], lines 1-13). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art to incorporate the Bober teaching into the Aviv-Wilcock combination in order to have Aviv-Wilcock combination have the framing ability of transmitting only interested objects such as a criminal's face (i.e. for identification by the authorities) as a part of the pattern recognition module (Aviv: column 9, lines 35-50). The Aviv monitoring and alerting device, now incorporating the Wilcock teaching of formatting video data files for cellular networks and the Bober QCIF/CIF coding means, has all of the teachings of claims 4-5.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peters discloses a remote monitoring system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao
Primary Examiner
Art Unit 2621

asr
March 23, 2007

ANDY S. RAO
PRIMARY EXAMINER